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EXAMINER

SCHELL, JOSEPH O

ART UNIT PAPER NUMBER

2114

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/622,952

Applicant(s)

COLUCCI ET AL.

Examiner

Joseph Schell

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 July 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Detailed Action

Claims 1-16 have been examined.

Claims 1-16 have been rejected.

Claim Objections

1. Claim 9 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 1 states that the display is part of the system. Claim 8 states that the system is embedded within the device. Claim 9 further states that the display is part of the device. This is not further limiting as the display is part of the system that has already been claimed to be embedded within the device.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This claim is improperly dependent on itself. Examiner assumes a dependence on claim 1 for the broadest reasonable scope.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 5-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Mayuzumi (US Patent 5,781,191).

4. As per claim 1, Mayuzumi ('191) discloses a system for guiding a user through performance of a procedure corresponding to a device associated with the system, the system comprising:

at least one stored procedure including a plurality of steps to be performed by a user (as shown by Figure 15A, when "detail explanation" is selected, steps 1 through 6, with illustrations for each are displayed);

at least one sensor providing information regarding the status of the device (column 20 lines 11-17 and column 2 lines 47-51);

a display for displaying the plurality of steps in order (as shown in Figure 15A, the steps are displayed for the user, and are numbered 1 through 6);

a programmed processor connected to the sensor for determining whether a currently displayed step has been properly performed based upon the information regarding the status of the device from the sensor (column 20 lines 11-17).

5. As per claim 5, Mayuzumi ('191) discloses the system of claim 1, further comprising:

means for displaying all of the steps in a procedure (as shown in Figure 15A, steps 1-6 are displayed for the user); and

means for returning to a step in the procedure after display of all of the steps (column 11 lines 45-53).

6. As per claim 6, Mayuzumi ('191) discloses the system of claim 1, wherein the programmed processor includes means for determining a next step in the procedure based upon the information regarding the status of the device from the sensor (column 4 lines 25-32, the sensor information is used for determining what measures should be taken according to the present sensed condition status).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3, 10-11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayuzumi ('191).

8. As per claim 3, Mayuzumi ('191) discloses the system of claim 1. Mayuzumi ('191) discloses that when a step is not recovered within a given timeframe the step is simply redisplayed (column 27 lines 13-19). Mayuzumi ('191) also discloses that a user can control the level of detail provided for in the remediation steps by the system in order to match the skill level of the user (column 4 lines 42-51).

Mayuzumi ('191) does not explicitly disclose displaying additional steps to correct an error caused by a step which is not performed properly.

At the time of invention it would have been obvious to a person of ordinary skill in the art to provide more detailed steps to a user after a predetermined time has passed during which the provided step was not performed. This would have been obvious because when the system hangs on a step for a long period of time, a possible reason is that the

user has overestimated his level of familiarity with the system and needs more detailed information to complete the step. This course of action is provided for by Mayuzumi ('191) (column 4 lines 63 through column 5 line 2) but only at the user's request. Mayuzumi ('191) additionally discloses that it is troublesome needing to interact with the system and that a system that can intelligently guide an operators actions would be beneficial (column 1 lines 51-57).

9. As per claim 10, Mayuzumi ('191) discloses a method of guiding a user through performance of a procedure corresponding to a device, the method comprising the steps of:

displaying a step of the procedure to the user (as shown in figure 15A, the steps numbering 1 through 6 are displayed)

and monitoring the status of the device to determine whether the step has been properly performed by the user (column 20 lines 11-17).

Mayuzumi ('191) does not explicitly disclose the method further comprising displaying a next step of the procedure to the user upon determining that the prior step has been properly performed.

At the time of invention it would have been obvious to a person of ordinary skill in the art to have the system determine that a step has been performed and then display the following step to the user. This system property would have been obvious because

continually informing the system that the next step is requested is troublesome for the user (column 1 lines 51-57).

10. As per claim 11, Mayuzumi ('191) discloses the method of claim 10, wherein the monitoring step includes obtaining information on the status of the device for at least one sensor (column 20 lines 11-17 and column 2 lines 47-51).

11. As per claim 15, Mayuzumi ('191) discloses the method of claim 10, further comprising the steps of:

displaying a listing of all steps in the procedure (as shown in figure 15A, the steps numbering 1-6 are displayed); and

displaying a next step in the procedure following the display of all the steps in the procedure (column 19 lines 45-53, the operator can choose to get a detailed explanation of any step).

12. Claims 2, 4, and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayuzumi ('191) in view of the Microsoft Computer Dictionary.

13. As per claim 2, Mayuzumi ('191) discloses the system of claim 1. Mayuzumi ('191) also discloses that if a particular recovery action is not performed within a predetermined period of time, the step is simply reproduced for the user (column 27 lines 13-17).

Mayuzumi ('191) does not explicitly disclose the system wherein the programmed processor includes means for displaying on the display at least one error message when a step is not properly performed.

The Microsoft Computer Dictionary's definition of a time-out states that a time-out indicates that a predetermined amount of time has elapsed without an expected event taking place.

At the time of invention it would have been obvious to a person of ordinary skill in the art to modify the system disclosed by Mayuzumi ('191) such that a time-out error occurs and is displayed if a step is not performed after a length of time. This the time-out would have been obvious because it allows it allows for the system to interrupt a stalled process (Microsoft Computer Dictionary's definition of Time out) instead of continually repeating the same unperformed step. Displaying of the time-out error would have been further obvious because the user would then know he needs to take some appropriate action, such as changing the system's expected user skill level (as hinted in Mayuzumi ('191) column 2 lines 27-32).

14. As per claim 4, Mayuzumi ('191) discloses the system of claim 1. Mayuzumi ('191) also discloses that if a particular recovery action is not performed within a predetermined period of time, the step is simply reproduced for the user (column 27

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lines 13-17).

Mayuzumi ('191) does not explicitly disclose the system wherein the programmed processor includes means for terminating a procedure when a step has not been properly performed.

The Microsoft Computer Dictionary's definition of a time-out states that a time-out indicates that a predetermined amount of time has elapsed without an expected event taking place.

At the time of invention it would have been obvious to a person of ordinary skill in the art to modify the system disclosed by Mayuzumi ('191) such that a time-out error occurs and is displayed if a step is not performed after a length of time. This the time-out would have been obvious because it allows it allows for the system to interrupt a stalled process (Microsoft Computer Dictionary's definition of Time out) instead of continually repeating the same unperformed step.

15. As per claim 12, Mayuzumi ('191) discloses the system of claim 10. Mayuzumi ('191) also discloses that if a particular recovery action is not performed within a predetermined period of time, the step is simply reproduced for the user (column 27 lines 13-17).

Mayuzumi ('191) does not explicitly disclose the system wherein the programmed processor includes means for displaying on the display at least one error message when a step is not properly performed.

The Microsoft Computer Dictionary's definition of a time-out states that a time-out indicates that a predetermined amount of time has elapsed without an expected event taking place.

At the time of invention it would have been obvious to a person of ordinary skill in the art to modify the system disclosed by Mayuzumi ('191) such that a time-out error occurs and is displayed if a step is not performed after a length of time. This the time-out would have been obvious because it allows it allows for the system to interrupt a stalled process (Microsoft Computer Dictionary's definition of Time out) instead of continually repeating the same unperformed step. Displaying of the time-out error would have been further obvious because the user would then know he needs to take some appropriate action, such as changing the system's expected user skill level (as hinted in Mayuzumi ('191) column 2 lines 27-32).

16. As per claim 13, Mayuzumi ('191) in view of the Microsoft Computer Dictionary discloses the method of claim 12. Mayuzumi ('191) also discloses that when a step is not recovered within a given timeframe, the step is simply redisplayed (Mayuzumi ('191)

column 27 lines 13-19). Additionally, a user can control the level of detail provided by for the remediation steps by the system in order to match the skill of the user (Mayuzumi ('141) column 4 lines 42-51).

Mayuzumi ('191) does not explicitly disclose the method of claim 12, further comprising the step of displaying a correction step to be performed by the user after the error message.

At the time of invention it would have been obvious to a person of ordinary skill in the art to provide more detailed steps to a user after a predetermined time has passed during which the provided step was not performed. This would have been obvious because when the system hangs on a step for a long period of time, a possible reason is that the user has overestimated his level of familiarity with the system and needs more detailed information to complete the step. This course of action is provided for by Mayuzumi ('191) (column 4 lines 63 through column 5 line 2) but only at the user's request. Mayuzumi ('191) additionally discloses that it is troublesome needing to interact with the system and that a system that can intelligently guide an operators actions would be beneficial (column 1 lines 51-57).

17. As per claim 14, Mayuzumi ('191) discloses the system of claim 1. Mayuzumi ('191) also discloses that if a particular recovery action is not performed within a predetermined period of time, the step is simply reproduced for the user (column 27

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lines 13-17).

Mayuzumi ('191) does not explicitly disclose the system wherein the programmed processor includes means for terminating a procedure when a step has not been properly performed.

The Microsoft Computer Dictionary's definition of a time-out states that a time-out indicates that a predetermined amount of time has elapsed without an expected event taking place.

At the time of invention it would have been obvious to a person of ordinary skill in the art to modify the system disclosed by Mayuzumi ('191) such that a time-out error occurs and is displayed if a step is not performed after a length of time. This the time-out would have been obvious because it allows it allows for the system to interrupt a stalled process (Microsoft Computer Dictionary's definition of Time out) instead of continually repeating the same unperformed step.

18. Claims 7 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayuzumi ('191) in view of Sakai (US Patent 6,381,156).

As per claim 7, Mayuzumi ('191) discloses the system of claim 1. Mayuzumi ('191) does not explicitly disclose the system wherein the device is an uninterruptible power supply.

Sakai ('156) teaches a system that uses multiple power supplies and a built-in microcontroller to provide uninterruptible power (see abstract and figure 1). Sakai ('156) additionally teaches the inclusion of multiple error indicators for various possible malfunctions (column 10 lines 42-64).

At the time of invention it would have been obvious to a person of ordinary skill in the art to use the debugging system disclosed by Mayuzumi ('191) with an uninterruptible power supply. This use would have been obvious because it would aid the user in repairing a number of errors associated with power supplies (Sakai ('156) column 10 lines 51-62).

19. As per claim 16, Mayuzumi ('191) discloses the system of claim 10. Mayuzumi ('191) does not explicitly disclose the system wherein the device is an uninterruptible power supply.

Sakai ('156) teaches a system that uses multiple power supplies and a built-in microcontroller to provide uninterruptible power (see abstract and figure 1). Sakai ('156)

additionally teaches the inclusion of multiple error indicators for various possible malfunctions (column 10 lines 42-64).

At the time of invention it would have been obvious to a person of ordinary skill in the art to use the debugging system disclosed by Mayuzumi ('191) with an uninterruptible power supply. This use would have been obvious because it would aid the user in repairing a number of errors associated with power supplies (Sakai ('156) column 10 lines 51-62).

20. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayuzumi ('191) in view of Levy (US Patent 5,673,028).

21. As per claim 8, Mayuzumi ('191) discloses the system of claim 1. Mayuzumi ('191) does not explicitly disclose the system wherein the troubleshooting device is embedded within the device being monitored.

Levy ('028) teaches a system wherein a diagnostic aid is integrated into a device or chip (column 5 lines 1-5).

At the time of invention it would have been obvious to a person of ordinary skill in the art to modify the system disclosed by Mayuzumi ('191) such that it is embedded into the device that it troubleshoots. This modification would have been obvious because it is

time consuming to use the system as a technician's tool for performing a diagnosis (Levy ('028) column 1 lines 28-40).

22. As per claim 9, Mayuzumi ('191) in view of Levy ('028) disclose the system wherein the display is part of the device (as shown in the discussion of claim 8, it would have been obvious to integrate the diagnosis system within the device being diagnosed (Levy ('028) column 1 lines 28-40), and the display is part of the system performing the troubleshooting (Mayuzumi ('191) column 7 lines 57-60).

Conclusion

The prior art made of record on accompanying PTO 892 form and not relied upon is considered pertinent to applicant's disclosure. Specifically, Leapman ('503) teaches a system that detects a fault, including absence of AC Power, determines and displays a possible solution and alternate solutions if the first doesn't remedy the problem, and wherein the fault indicator goes away upon the remediation, and MacLellan ('449) teaches a system the provides a field engineer with assistance via a troubleshooting flow chart.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Schell whose telephone number is (571) 272-8186. The examiner can normally be reached on Monday through Friday 9AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman can be reached on (571) 272-3644. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS



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